

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN BERBERIAN, JBBB  
HOLDINGS LLC,

*Plaintiffs,*

v.

ROB WILBURN, et al.,

*Defendants.*

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Civil Action No. 3:23-CV-2201-X

**MEMORANDUM OPINION AND ORDER**

Plaintiffs John Berberian and JBBB Holdings, LLC filed a Motion for Substitute Service. (Doc. 22). Because Plaintiffs have been unable to serve Defendant John Grisham after multiple attempts, the Court **GRANTS** the motion.

Rule 106(b) of the Texas Rules of Civil Procedure authorizes substitute service of process that is “reasonably effective to give the defendant notice of suit” provided the motion is accompanied by a sworn statement “listing any location where the defendant can probably be found and stating specifically the facts showing that service has been attempted” under 106(a) of the Rules.<sup>1</sup> Plaintiffs have satisfied 106(b)’s sworn statement requirement.<sup>2</sup> The Court finds that substitute service will be reasonably effective to give Defendant John Grisham notice of this lawsuit. Therefore, in accordance with Rule 106(b), the Court authorizes substitute service of process on Defendant John Grisham by (1) leaving a copy of the citation and petition

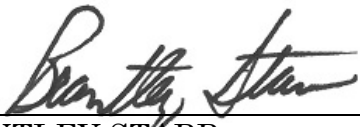
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<sup>1</sup> TEX. R. CIV. P. 106(b)(2).

<sup>2</sup> See Doc. 28-1.

at Defendant's residence at 109 Oakwood Lane, Hickory Creek, Texas 75065 and/or  
(2) mailing a copy of the citation and petition to Defendant's residence at 109  
Oakwood Lane, Hickory Creek, Texas 75065.

**IT IS SO ORDERED** this 7th day of December, 2022.

  
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BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE